

REMARKS / DISCUSSION OF ISSUES

The present amendment is submitted in response to the Final Office Action mailed October 21, 2010. In view of the amendments above and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Status of Claims

Upon entry of the present amendment, claims 1, 2, 4-10, 14-16 and 18-24 will remain pending in this application. Claims 1, 14 and 18 have been amended. Claims 20-24 have been added. Applicants respectfully submit that no new matter is added by the present amendments.

Interview Summary

Applicants appreciate the courtesy granted to Applicant's attorney, Michael A. Scaturro (Reg. No. 51,356), during a telephonic interview conducted on Wednesday, June 8, 2011. During the telephonic interview, discussion turned to amending claim 1 to recite at least three static panels. The Examiner stated that claiming at least three static panels appeared to overcome the cited and applied art. No amendment was presented and no agreement was reached.

Rejections under 35 U.S.C. §103(a)

In the Office Action, Claims 1, 6-10, 14-16, and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shalit et al. (U.S. Patent No. 5,714,971) in view of Freeze, Internet Explorer 5, 1999 in further view of McCollum (U.S. Patent Publication No. 20030112467. Applicants respectfully traverse the rejections.

In order to establish a prima facie case of obviousness, the cited prior art in combination must show all of the claimed limitations. M.P.E.P. §2141. Here, there are elements in independent claim 1, as amended, which are not shown even in a combination of the cited prior art.

Therefore, the following limitations of independent claim 1, as amended, are not found even in a combination of the record. That is, Applicants' independent Claim 1 has been amended to recite features not disclosed or suggested by Shalit or Freeze, taken alone or in any proper combination. In particular, neither Shalit nor Freeze, taken alone or in any proper combination, disclose or suggest a history panel for displaying navigation history data and at least three static panels, comprising, at least a first static panel displaying a first menu of a content structure, the first menu including one or more selectable items, at least a second static panel for displaying a first sub-menu of a currently highlighted item of the first menu, **and at least a third static panel for displaying a first sub-sub-menu of a currently highlighted item of the second menu.**

As admitted by the Office, Shallit merely discloses the claimed aspect of the first and second panels, in Fig. 2D, where two static panels are illustrated. See Office Action, page 5. Applicants respectfully submit that the applied art (Shallit/ Freeze/McCollum) fails to teach or suggest at least three structural panels, wherein a third static panel displays a first sub-sub-menu of a currently highlighted item displayed in a second static panel.

Support for the claim amendment can be found in Applicant's specification, for example, at page 3, wherein it states that it is envisaged that also more than two panels may be provided so that for example, also three, four, five, six, seven or eight panels may be provided. The number of panels may be selected depending on the content browsed by the user and the amount or details the user wants to be shown. In a preferred embodiment, the user may be able to select the number of panels of the graphical user interface. See Specification, page 3, lines 7-11. Hence claim 1 is allowable.

Independent Claims 14 and 18 include the same or similar limitations to those of Claim 1, and are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claim 1.

Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claims 1, 14, and 18 and allowance thereof are respectfully requested.

Dependent Claims 2, 4-10, and 13-16, are allowable over the prior art of record for at least the same reasons presented above for the patentability of independent Claims 1, 14, and 18. Accordingly, the withdrawal of the rejection under 35 U.S.C. §103(a) with respect to dependent Claims 2, 4-10, and 13-16, and allowance thereof are respectfully requested. Further, dependent Claims 2, 4-10, and 13-16 recite additional patentable features.

New Claims

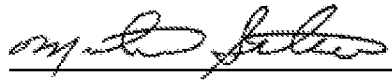
New Claims 20 and 21 are directed to the cases where a user selects an item from the second or third static panels. New claims 22-24 have been added to respectively claim that the number of static panels shown to a user is user selectable and may be in the range of 0-8 static panels dependent upon the content to be browsed by a user and the amount of detail the user wishes to be shown. The cited portions of (Shallit/ Freeze/McCollum) fail to disclose or suggest the above features. Thus, New claims 20-24 are allowable.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1, 6-10, 14, 16 and 18-24 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9643.

Respectfully submitted,



Michael A. Scaturro
Reg. No. 51,356
Attorney for Applicants

Mailing Address:
Intellectual Property Counsel
Philips Electronics North America Corp.
P.O. Box 3001
345 Scarborough Road
Briarcliff Manor, Previously Presented York 10510-8001